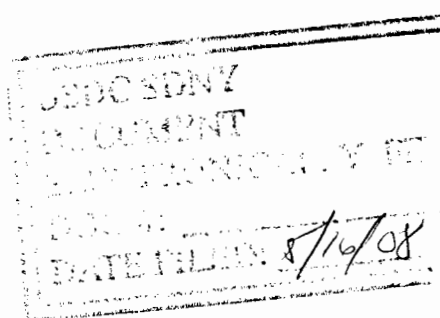


MEMORANDUM



MICHAEL A. CARDOZO  
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May 14, 2008

**VIA FACSIMILE (212) 805-4268**

The Honorable Gabriel W. Gorenstein  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Bonge v. The City of New York et al.  
07 Civ. 4601 (SAS) (GWG)

Dear Magistrate Judge Gorenstein:

The Court normally does not hold a settlement conference where a defendant states unequivocally that it is unwilling to contribute any amount of money towards a settlement. The Court sees no reason to alter its usual practice here. Accordingly, the settlement conference is adjourned sine die. If there comes a time when the defendants believe a settlement conference would be useful, they shall inform the Court.

SO ORDERED: DATE: 5/16/2008  
  
GABRIEL W. GORENSTEIN  
UNITED STATES MAGISTRATE JUDGE

I am the Senior Counsel with the Office of the Corporation Counsel representing defendants City and Detective John Villanueva in the above-referenced matter and I write respectfully concerning the settlement conference scheduled before Your Honor for May 27, 2008 at 2:30 p.m. As the Court is aware, the City of New York had previously determined not to authorize any settlement in this matter. I am writing to inform the Court that the City has not changed that position and maintains that the City will proceed to trial and will not authorize any settlement. Based on this position, defendants respectfully submit that a settlement conference before Your Honor would not be productive, nor a fruitful use of the Court's resources as the conference will not lead to a resolution of this matter. Therefore, defendants respectfully request that the May 27, 2008 settlement conference be cancelled with no further date scheduled.

I thank the Court for its consideration in this matter.

Respectfully submitted,

Hillary A. Frommer  
Senior Counsel

cc: David Pressman, Esq. (via facsimile)